

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

David Banks,	:	
Plaintiff,	:	
v.	:	Case No. 2:05-cv-0713
Ms. C. Rees, et al.,	:	JUDGE MARBLEY
Defendants.	:	

ORDER

On June 1, 2007, the Magistrate Judge issued a Report and Recommendation recommending that the claims against defendant Ms. Rees be dismissed without prejudice for want of service of process. No objections have been filed. Consequently, the Report and Recommendation is ADOPTED. Defendant Rees's motion to dismiss (#43) is GRANTED. The claims against her are DISMISSED WITHOUT PREJUDICE pursuant to Fed.R.Civ.P. 4(m). The claims against the other defendant remain pending.

s/Algenon L. Marbley  
Algenon L. Marbley  
United States District Judge